

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

KASHYAP “KASH” PATEL)

Plaintiff,)

v.)

Case 3:19-cv-879-MHL

POLITICO, LLC et al)

Defendants.)

MEMORANDUM IN SUPPORT OF
MOTION TO REMAND CASE TO STATE COURT

Plaintiff, Kashyap “Kash” Patel, by counsel, pursuant to Local Civil Rule 7(F), files this Memorandum in Support of his motion to remand this action to the Circuit Court for the County of Henrico, Virginia.

The Court lacks subject matter jurisdiction.

Contrary to the allegations in paragraph 6 of Defendants’ notice of removal, Plaintiff is a citizen of the District of Columbia. Plaintiff maintains a D.C. driver’s license, a copy of which is attached as Exhibit “A”. Plaintiff lives in D.C. at the address on his driver’s license. Plaintiff has lived and worked in D.C. for the past six (6) years at the Department of Justice, at the Capitol (for the House Permanent Select Committee on Intelligence), and, currently, at the White House for the National Security Council. As alleged in the complaint, Plaintiff is an attorney and a member of the Bars of the States of Florida and New York. A cursory review of the online public records of the Florida State Bar shows that Plaintiff’s current work address is the White House in Washington, D.C.

[\[https://www.floridabar.org/directories/find-mbr/?barNum=&fName=Kashyap&lName=Patel\]](https://www.floridabar.org/directories/find-mbr/?barNum=&fName=Kashyap&lName=Patel).

For diversity purposes, a limited liability company has the citizenship of its members. *See Carden v. Arkoma Assocs.*, 494 U.S. 185, 195 (1990); *Gen. Tech. Applications, Inc. v. Exro Ltda*, 388 F.3d 114, 120 (4th Cir. 2004) (limited liability companies have citizenship of their members).

The notice of removal [*ECF No. 1*] establishes that Defendants, Politico, LLC (“Politico”) and Robert Allbritton (“Allbritton”), are citizens of the District of Columbia. The complaint alleges that Defendant, Natasha Bertrand (“Bertrand”), is a citizen of the District of Columbia. In their notice of removal, Defendants do not dispute Plaintiff’s allegations regarding Ms. Bertrand’s citizenship.

Because Plaintiff and all the Defendants are citizens of the same state, the Court lacks subject matter jurisdiction. *See Title 28 U.S.C. 1332(a)* (“*The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between— (1) citizens of different States*”).

WHEREFORE, Plaintiff, Kashyap “Kash” Patel, respectfully requests the Court to grant his Motion, remand the case to State Court, and award attorney’s fees in the sum of \$950.

DATED: November 27, 2019

KASHYAP “KASH” PATEL

By: /s/Steven S. Biss

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CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2019 a copy of the foregoing was filed electronically using the Court’s CM/ECF system, which will send notice of electronic filing to counsel for the Defendants and any/all other interested parties receiving notices via CM/ECF.

By: /s/Steven S. Biss

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